

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

In re:
PAMIDRONATE
PRODUCTS LIABILITY LITIGATION
(1:09-md-2120)

This Document Relates To:

1:09-cv-5286 (Brooks)
1:09-cv-5287 (Pace)
1:09-cv-5288 (Eckblom)
1:09-cv-5289 (Patterson)
1:09-cv-5290 (Lockard)
1:09-cv-5291 (Kahn)
1:09-cv-5293 (Smith)
1:10-cv-0005 (Berry)
1:10-cv-0005 (Campese)
1:10-cv-0005 (Clark)
1:10-cv-0005 (Compton)
1:10-cv-0005 (Gershonowitz)
1:10-cv-0005 (Hawkins)
1:10-cv-0005 (Kruszka)
1:10-cv-0005 (Lambertson)
1:10-cv-0005 (Mueller)
1:10-cv-0005 (Rodriguez)
1:10-cv-0005 (Venne)
1:10-cv-0005 (Warchol)
1:10-cv-0005 (Wessel)
1:10-cv-0005 (Wilcoxon)

**Motion for Extension of Time to Amend
Complaints Nunc Pro Tunc**

Plaintiffs in the above captioned cases respectfully move for an extension of time to November 30, 2010 to amend complaints in the above captioned matters. The Court issued an order on amending the pleadings in the above-captioned matters by October 20, 2010. Valad & Vecchione, PLLC has, candidly, failed to so amend. Counsel for plaintiffs in this MDL has two Zometa trials in October and November and had staff fall ill in October and so missed the

deadline.¹ Plaintiff has previously had these cases administratively severed so as to facilitate such amendment. Counsel discovered this oversight yesterday and has contacted opposing counsel for consent.

Counsel for Defendants Teva, APP, Ben Venue, Hospira and Sandoz (all defendants) have graciously consented to this extension.

Wherefore, above-captioned plaintiffs respectfully request until November 30, 2010 to amend their Complaints.

Dated: October 26, 2010

Respectfully submitted,

/s/ John J. Vecchione

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Attorneys for Plaintiffs

¹ In addition, while undersigned counsel is local counsel in the *Brooks* and *Pace* they are represented by Robert Germany of Pittman, Germany, Roberts & Welsh, LLP. In addition Mr. Germany represents the clients in *Lockard et. al v. APP et. al.*, Case No. 1:09-cv-05290; *Smith et. al. v. APP Pharmas LLC, et. al.*, 1:09-cv-05293; *Kahn v. APP Pharmas., LLC*, 1:09-cv-05291 and they request a similar extension if necessary as Mr. Germany has also been in both trials.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on October 26, 2010 by operation of the Court's Electronic Case Filing System, on counsel of record in case number 1:09-md-02120-KAM-SMG.

Respectfully submitted,

/s/ John J. Vecchione
John J. Vecchione, Esq.